

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re: Rugg, Paul A. & Jean C.

CHAPTER 13 PLAN — MODIFIED

Dated: 09/29/2004

DEBTOR

*In a joint case,
debtor means debtors in this plan.*

Case No. 04-44393

1. PAYMENTS BY DEBTOR —

- a. As of the date of this plan, the debtor has paid the trustee \$2774.00.
- b. After the date of this plan, the debtor will pay the trustee \$2774.00 per month for 35 months, beginning within 30 days after the filing of this plan for a total of \$99864.00.
- c. The debtor will also pay the trustee \$ 0.00
- d. The debtor will pay the trustee a total of \$99864.00. [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE — The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 9986.00 [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

3. PRIORITY CLAIMS — The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.					\$0.00
b.					
d.					
e. TOTAL					\$0.00

4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT — The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. Chase Manhattan - Home mortgage

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] — The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.					
b.					
c.					
d. TOTAL					\$0.00

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] — The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

7. OTHER SECURED CLAIMS [§ 1325(a)(5)] — The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 6 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens.

NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. GMAC	\$33,000.00	\$25,000.00	2496/840	1/11	10/1	\$25,800.00
b.						
d. TOTAL						\$ 25,800.00

8. SEPARATE CLASS OF UNSECURED CREDITORS — In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows:

a. The debtor estimates that the total claims in this class are \$0.00

b. The trustee will pay this class \$0.00.

9. TIMELY FILED UNSECURED CREDITORS — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$64078.00 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$8000.00

b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$69153.00

c. Total estimated unsecured claims are \$77153.00 [line 9(a) + line 9(b)].

10. TARDILY-FILED UNSECURED CREDITORS — All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS — The Trustee shall make no payments to Bluegreen or Cit Group as secured creditors — these creditors may be paid as unsecured creditors on any deficiencies incurred — if any — providing these creditors timely file proofs of claim.

12. SUMMARY OF PAYMENTS —

Trustee's Fee [Line 2]	\$9986.00
Priority Claims [Line 3(e)]	\$0.00
Home Mortgage Defaults [Line 5(d)]	\$0.00
Long-Term Debt Defaults [Line 6(d)]	\$0.00
Other Secured Claims [Line 7(d)]	\$25800.00
Separate Class [Line 8(b)]	\$0.00
Unsecured Creditors [Line 9(c)]	\$64078.00
TOTAL [must equal Line 1(d)]	\$99864.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Ronald J. Lundquist, Atty No. 269232
 700 Lumber Exchange Building
 Ten South Fifth Street
 Minneapolis, MN 55402
 Telephone: (612) 305-4338
 Fax: (612) 305-4352

Signed
 DEBTOR
 Signed

Paul A. Rugg
Jan C. Rugg

Telephone:
(612) 305-4338 &
(651) 331-9814
Fax:
(612) 305-4353

RONALD J. LUNDQUIST
ATTORNEY-AT-LAW
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MINNEAPOLIS MINNESOTA 55402

E-Mail:
rjlundquist@justice.com

LEGAL ASSISTANT: HAROLD STAFFORD

10/05/2004

NOTICE OF HEARING FOR CONFIRMATION OF MODIFIED CHAPTER 13 PLAN

RE: Rugg, Paul A. & Jean C., BKY No. 04-44393

Dear Interested Party,

Enclosed and served upon you is a copy of the modified Chapter 13 Plan for the above referenced case.

The hearing for confirmation of the modified plan has been continued to November 4, 2004 at 10:30 AM at Court Room 7 West at the United States Courthouse, 300 S. Fourth St., Minneapolis, Minnesota 55415.

Yours truly,



/e/ Ronald J. Lundquist
Ronald J. Lundquist
Attorney for Debtor

DISTRICT OF MINNESOTA
UNITED STATES BANKRUPTCY COURT

In re:

Rugg, Paul A. & Jean C.

Debtor(s)

Bky Case No: 04-44393
Chapter 13

UNSWORN DECLARATION OF SERVICE

Ronald J. Lundquist an attorney licensed to practice law in this court, with office address of 700 Lumber Exchange Building, 10 South Fifth St, Minneapolis, MN 55402, declares that on 10/05/2004, he served:

1. Notice Of Hearing on Modified Chapter 13 Plan, and,
2. Modified Chapter 13 plan

upon each of the entities named below by mailing to each of them a copy thereof by enclosing same in an envelope with first class mail postage prepaid and depositing same in the post office at Minneapolis, Minnesota addressed to each of them as follows:

 SEE ATTACHED 1-PAGE LIST

And he declares under penalty of perjury, that the foregoing is true and correct.

Executed: October 5, 2004

/e/ Ronald J. Lundquist

Ronald J. Lundquist, Atty No. 269232

Attorney for Debtor(s)

700 Lumber Exchange Building

10 South Fifth Street

Minneapolis MN 55402

Ph: 612-305-4338

Fax: 612-305-4353

AT&T UNIVERSAL CARD
POB 44167
JACKSONVILLE FL 32231

BANK OF AMERICA
POB 53136
PHOENIX AZ 85072

BANK ONE
POB 94014
PALATINE IL 60094

BLUEGREEN
4960 BLUE LAKE DR.
BOCA RATON FL 33431

CAPITAL ONE SERVICES
POB 60000
SEATTLE WA 98190

CHASE MANHATTAN
POB 830016
BALTIMORE MD 21283

CHASE PERFECT CARD
POB 52064
PHOENIX AZ 85072

CIT GROUP
715 S. METROPOLITAN AVE.
POB 24330
OKLAHOMA CITY OK 73124

CITGO
POB 9095
DES MOINES IA 50368

CREDIT CARD CENTER
POB 9151
DES MOINES IA 50368

DELL COMPUTER
POB 6403
CAROL STREAM IL 60197

GMAC
POB 217060
AUBURN HILLS MI 48321

HOUSEHOLD CREDIT SERVICES
POB 5222
CAROL STREAM IL 60197

PROVIDIAN
POB 660509
DALLAS TX 75266

RIEZMAN BERGER P.C.
ATTN: MARILYN WASHBURN
7700 BONHOMME 7TH FLOOR
SAINT LOUIS MO 63105

WELLS FARGO CARD SERVICES
POB 6412
CAROL STREAM IL 60197-6412



UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Paul A. Rugg
Jean C. Rugg
Debtor(s).

SIGNATURE DECLARATION

Case No. 04-44393

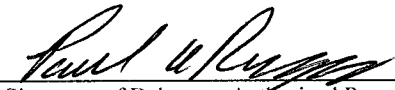
- ☐ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
☐ OTHER (Please describe: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, *make the following declarations under penalty of perjury:*

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: September 30, 2004

X

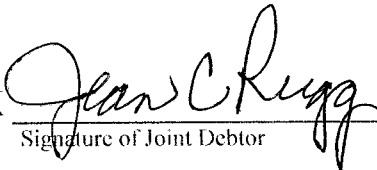


Signature of Debtor or Authorized Representative

Paul A. Rugg

Printed Name of Debtor or Authorized Representative

X



Signature of Joint Debtor

Jean C. Rugg

Printed Name of Joint Debtor